

COPY

BEFORE THE BOARD OF MEDICAL EXAMINERS
OF THE STATE OF NEVADA

* * * * *

In The Matter of Charges and)

Complaint Against)

DIANE RUHL, P.A.-C,)

Respondent.)

Case No. 10-190-1

FILED

JUN 09 2010

NEVADA STATE BOARD OF
MEDICAL EXAMINERS

COMPLAINT

The Investigative Committee of the Nevada State Board of Medical Examiners, composed at the time filing was approved of Benjamin J. Rodriguez, M.D., Van V. Heffner and Beverly Neyland, M.D., having a reasonable basis to believe that Diane Ruhl, P.A.-C, hereinafter referred to as Ms. Ruhl, has violated the provisions of NRS Chapter 630, hereby issues its formal Complaint, stating the Investigative Committee's charges and allegations, as follows:

1. Ms. Ruhl is licensed to practice medicine as a physician assistant in the state of Nevada (License No. 401), and was originally licensed on March 6, 1993 by the Nevada State Board of Medical Examiners pursuant to the provisions of Chapter 630 of the Nevada Revised Statutes.

2. Ms. Ruhl was employed by Huntridge Teen Clinic between September 22, 2006 and April 23, 2009. It is believed that Ms. Ruhl possessed an unknown quantity of blank prescription pads from the clinic at the time of her departure and still maintains possession of said prescription pads.

3. Ms. Ruhl was employed by and practiced at the offices of Deanna Lee, M.D. between April 2009 and April 8, 2010 when her employment was terminated. It is believed that at the time of her departure she had in her possession an unknown quantity of blank prescription pads.

13. NRS 630.306(3) provides that prescribing any controlled substance, or any dangerous drug as defined in chapter 454 of NRS, to herself or to others except as authorized by law is grounds for initiating discipline against a licensee.

14. NAC 639.945(1)(h) prohibits prescribing to a patient without a bona fide therapeutic relationship. NAC 639.945(3) defines a “bona fide therapeutic relationship” as a relationship in which the practitioner has physically examined the patient and as a result of the examination has diagnosed a condition for which a given drug therapy is prescribed within six months immediately preceding the date the practitioner prescribes the drug.

15. Ms. Ruhl failed to examine and/or diagnose either P.S. or W.F. prior to prescribing medication for either individual and therefore is in violation of the above referenced statutes and regulations.

16. By reason of the foregoing, Ms. Ruhl is subject to discipline by the Nevada State Board of Medical Examiners as provided in NRS 630.352.

Count III

17. NAC 630.380(m) provides that violation of a provision of NRS 630.301 through NRS 630.3065 is grounds for the initiation of a disciplinary action against a physician assistant.

18. NRS 630.3062(1) provides that failure to maintain, timely, legible, accurate and complete medical records relating to the diagnosis, treatment and care of a patient is grounds for initiating discipline against a licensee.

19. Ms. Ruhl failed to maintain any medical records regarding P.S. or W.F. and accordingly is in violation of the above referenced statutes and regulations.

20. By reason of the foregoing, Ms. Ruhl is subject to discipline by the Nevada State Board of Medical Examiners as provided in NRS 630.352.

Count IV

21. NAC 630.380(m) provides that violation of a provision of NRS 630.301 through NRS 630.3065 is grounds for the initiation of a disciplinary action against a physician assistant.

22. NRS 630.306(2)(c) provides that engaging in conduct in violation of a regulation adopted by the State Board of Pharmacy is grounds for discipline against a licensee.

23. NAC 639.945(1)(h) prohibits the performing or in any way being a party to any fraudulent or deceitful practice or transaction.

24. Ms. Ruhl's use of a prescription pad from Huntridge Teen Clinic after the termination of her employment at Huntridge was fraudulent and/or deceitful conduct and accordingly she is in violation of the above referenced statutes and regulations.

25. By reason of the foregoing, Ms. Ruhl is subject to discipline by the Nevada State Board of Medical Examiners as provided in NRS 630.352.

WHEREFORE, the Investigative Committee prays:

1. That the Nevada State Board of Medical Examiners give Ms. Ruhl notice of the charges herein against her and give her notice that she may file an answer to the Complaint herein as set forth in Section 630.339 of the Nevada Revised Statutes within twenty (20) days of service of the Complaint.

2. That the Nevada State Board of Medical Examiners set a time and place for a formal hearing after holding an Early Case Conference pursuant to NRS 630.339(3);

3. That the Nevada State Board of Medical Examiners determine what sanctions it determines to impose if it determines there has been a violation or violations of the Medical Practice Act (Nevada Revised Statutes Chapter 630) committed by Ms. Ruhl; and

4. That the Nevada State Board of Medical Examiners make, issue and serve on Ms. Ruhl its findings of facts, conclusions of law and order, in writing, that includes the sanctions imposed; and

5. That the Nevada State Board of Medical Examiners take such other and further action as may be just and proper in these premises.

DATED this 9th day of June, 2010.

THE NEVADA STATE BOARD OF MEDICAL EXAMINERS

By: Lyn E. Beggs, Esq.


Lyn E. Beggs, Esq.
General Counsel and Attorney for the Investigative Committee

VERIFICATION

STATE OF NEVADA)
 : ss.
COUNTY OF CLARK)

BENJAMIN J. RODRIGUEZ, M.D., having been duly sworn, hereby deposes and states under penalty of perjury that he is the Chairman of the Investigative Committee of the Nevada State Board of Medical Examiners that authorized the complaint against the Respondent herein; that he has read the foregoing Complaint; and that based upon information discovered in the course of the investigation into a complaint against Respondent, he believes that the allegations and charges in the foregoing Complaint against Respondent are true, accurate, and correct.

DATED this 9th day of June, 2010.



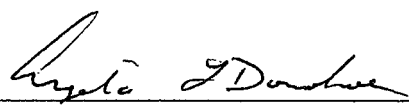
BENJAMIN J. RODRIGUEZ, M.D.

CERTIFICATE OF MAILING

I hereby certify that I am employed by Nevada State Board of Medical Examiners and that on 9th day of June 2010; I served a file copy of the COMPLAINT, NOTIFICATION OF IDENTITY along with Fingerprint Information, by mailing via USPS certified return receipt to the following:

Diane Ruhl, P.A.-C.
4833 Captain McCall Court
North Las Vegas, NV 89031

Dated this 9th day of June 2010.



Angelia L. Donohoe
Legal Assistant